

## Document Log Item

Addressing	
<b>From</b>	<b>To</b>
Karen Goldberg/R9/USEPA/US	Christine Katin/R9/USEPA/US
<b>CC</b>	<b>BCC</b>
Robert Carr/R9/USEPA/US@EPA	
<b>Description</b> <span>Form Used: Reply</span>	
<b>Subject</b>	<b>Date/Time</b>
Re: Treasure Island - FS alternatives and future use	11/04/2009 08:17 PM
<b># of Attachments</b>	<b>Total Bytes</b>
2	1,036,092
<b>NPM</b>	<b>Contributor</b>
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<b>Comments</b>	

Body

## Document Body

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**TIDA Does Not Support Alternative 2.** As the Navy is well aware, the City and County of San Francisco (City) has long planned to expand the current marina into the area that is now Site 27. The plans for this expansion were presented in the 1996 Draft Reuse Plan. As we have pointed out on numerous occasions, this expansion will require dredging to allow for this use. As indicated in a May 30, 2008 letter from Treasure Island Enterprises, LLC (TIE) to the Navy, a minimum basin depth of -14 feet mean lower low water (MLLW) will be required to accommodate sail boats that will use the marina.

Although Alternative 2 includes removal of sediment containing lead shot to a depth of 2.5 feet in the near-shore area (within 75 feet of the shore), the Navy has never investigated the vertical extent of the lead shot below a depth of 2 feet in this area and it is very likely that sediment below this depth is also contaminated with lead shot. Additionally, sediment containing lead shot is likely present beneath “clean” sediment throughout the remainder of Site 27; again, the full vertical extent has never been characterized by the Navy. We continue to have significant concerns about contaminated sediment that would remain in areas where dredging will be necessary to allow for marina development. We anticipate that managing and disposing of sediment containing lead shot will increase costs above those that would be anticipated for a typical dredging project. We are also concerned that dredging could expose deeper contaminated sediment, resulting in a future complete exposure pathway (post-dredging) that will have to be addressed.

Response: The results of the ecological risk assessment indicated that diving ducks were the only receptors at risk from exposure to lead shot at Site 27. **There is no exposure pathway to diving ducks unless lead shot is present within 2 feet below the sediment surface.** The Navy concludes that sufficient data exist to evaluate remedial alternatives for the site based on the available hydrographic survey data, the exposure pathway of concern, and the proposed confirmation samples; the Navy does not propose to collect additional sediment samples to further define the vertical extent of lead shot in sediment at Site 27.

Additionally, DoD and Navy guidance requires that cleanup decisions for BRAC properties be made according to the current use of the property, while adhering to applicable statutory and regulatory authorities, to ensure protection of human health and the environment ([DoD 2006](#)). Response actions at levels that support less restricted future reuses of the property are considered a business decision, normally made by the new owner or developer of the property, with the cleanup costs associated with less restricted property usage to be borne by the new owner as part of this property redevelopment ([Navy 2007](#)). If future owners or developers decide at a future date to change the land use in such a way that further cleanup is necessary to ensure protectiveness, the Navy's remedy selection or CERCLA will not prevent them from conducting the cleanup as long as protectiveness of the Navy's remedy is not compromised and is at no cost to the Navy.

**2.Comment:Request for Evaluation of a New Alternative.** As requested in our February 9, 2005 comments on the December 10, 2004 Revised Draft FS, we again request that the Navy work with TIDA to develop an alternative that would be compatible with future marina development plans. In their February 8, 2005 comments on the same document, California Department of Toxic Substances Control (DTSC), similarly encouraged development of an alternative that would include "limited dredging along the shoreline areas necessary for the future expansion of the marina." Although Alternative 2 in the current document does include limited dredging along the shoreline, it would not be sufficient to allow for future expansion of the marina. In January 18, 2005 comments on the same report, California Regional Water

**Quality Control Board (Water Board) expressed serious concerns about leaving contaminated sediment that would have to be handled by a future landowner. Alternative 2, as currently proposed, does not address the concerns that have been previously expressed by TIDA, DTSC and the Water Board. TIDA would like to work with the Navy to develop an alternative that would not result in additional burden to the City during development of a marina as envisioned in the 1996 Draft Reuse Plan. In the absence of such an alternative, TIDA can only support Alternative 3, site-wide dredging to remove all contaminated sediment.**

Response: DoD and Navy guidance requires that cleanup decisions for BRAC properties be made according to the current use of the property, while adhering to applicable statutory and regulatory authorities, to ensure protection of human health and the environment ([DoD 2006](#)). Please see the response to AMEC general comment 1 regarding potential future use.

Christine Katin  
U.S. EPA, Region 9  
San Francisco, CA  
(415) 972-3112

----- Forwarded by Christine Katin/R9/USEPA/US on 11/03/2009 12:00 PM -----

[~~IMAGE~~]

From: "Foote, Gary" <Gary.Foote@amec.com>

[~~IMAGE~~]

To: Christine Katin/R9/USEPA/US@EPA

[~~IMAGE~~]

Date: 11/03/2009 12:00 PM

[~~IMAGE~~]

Subject: EPA Documents cited in Navy's Site 27 FS Response to Comments

Hi Christine,

I am interested in getting your perspective on the Navy's RTC for the Site 27 FS. They frequently cite the attached EPA Guidance documents as the basis for why they do not necessarily have to clean up to "reasonably anticipated future land uses." The City has long planned to expand the existing marina into Site 27, as documented in the 1996 reuse plan and our position has always been that the "reasonably anticipated future land use" for Site 27 is a marina. The Navy's selected alternative will essentially prohibit such a use.

There will be a lot of discussion about this at the BCT meeting tomorrow and I was interested to get your perspective before the meeting, if possible.

Thanks!

Gary

**Gary Foote** | Principal Geologist

AMEC Geomatrix, Inc | 2101 Webster St., 12th Fl. | Oakland, CA 94612

510.663.4260 (direct) | 510.663.4141 (fax) | [gary.foote@amec.com](mailto:gary.foote@amec.com)

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